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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/541,274	01/05/2006	Bernd Rommel	SCH-00114	7708
30853 7590 11/16/2007 WARN, HOFFMANN, MILLER & LALONE, .P.C PO BOX 70098 ROCHESTER HILLS, MI 48307			EXAMINER LIVEDALEN, BRIAN J	
			ART UNIT 2878	PAPER NUMBER
			MAIL DATE 11/16/2007	DELIVERY MODE PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/541,274

Applicant(s)

ROMMEL, BERND

Examiner

Brian J. Livedalen

Art Unit

2878

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 13 September 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-11 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-11 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 13 September 2007 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
- 1) ☒ Certified copies of the priority documents have been received.
 - 2) ☐ Certified copies of the priority documents have been received in Application No. _____.
 - 3) ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

This action is in response to the amendment filed 9/13/2007. Claims 1-11 are pending.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1 and 3-11 are rejected under 35 U.S.C. 102(e) as being anticipated by Stam et al. (6631316).

In regard to claim 1, Stam discloses (fig. 2) an interior rearview mirror for vehicles having a mirror housing (200) in which is accommodated at least one electronics circuit board (203) for at least one sensor (101), the sensor being arranged in the detection region for signals arriving at the interior rearview mirror from outside (column 6, lines 1-3, 20-28, 43-47), wherein the sensor is seated on a sensor circuit board (202), that is spatially separated from and connected by signals to the electronics circuit board (column 6, lines 43-60).

In regard to claim 3, Stam discloses (fig. 2) that the sensor circuit board (202) is attached at the edge of the mirror housing.

In regard to claim 4, Stam discloses (fig. 2) that the sensor circuit board and the electronics circuit board are connected to one another by at least one flexible line (107) (column 6, lines 49-60).

In regard to claim 5, Stam discloses that the flexible line is a conductive trace (column 6, lines 49-60).

In regard to claim 6, Stam discloses (fig. 2) that the sensor circuit board is wirelessly connected by signals to the electronics circuit board (column 5, lines 38-43).

In regard to claim 7, Stam discloses (fig. 2) that the sensor is accommodated in a receiving opening (208) in the edge of the mirror housing (column 6, lines 25-30).

In regard to claim 8, Stam discloses (fig. 2) that the sensor is centered on the edge of the mirror housing.

In regard to claim 9, Stam discloses (fig. 2) that the sensor is an EC headlight glare sensor (column 6, lines 1-15).

In regard to claim 10, Stam discloses (fig. 2) that the mirror housing has a frame (212) and a cover (210, 207) connected therewith.

In regard to claim 11, Stam discloses (fig. 2) that the mirror glass is an EC mirror glass (column 6, lines 1-15).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and

the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claim 2 is rejected under 35 U.S.C. 103(a) as being unpatentable over Stam et al. (6631316) in view of Weller et al. (2004/0032675).

In regard to claim 2, Stam discloses an interior rearview mirror as set forth above. Stam remains silent regarding the positioning of an actuator drive. However, Weller discloses (fig. 14) a rearview mirror having a sensor circuit board (533) is arranged in the region between an actuator drive (560) of the interior rearview mirror and a mirror glass (page 24, paragraph 0165). It would have been obvious to one of ordinary skill in the art at the time the invention was made to place the sensor circuit board between the actuator drive and mirror glass in the system of Stam as taught by Weller, in order to more compactly arrange the rearview mirror elements.

Response to Arguments

Applicant's arguments with respect to claims 1-11 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Brian J. Livedalen whose telephone number is (571) 272-2715. The examiner can normally be reached on 8:30 am to 5:00 pm.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Georgia Epps can be reached on (571) 272-2328. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

bjl

Darienne Menblen
Primary Examiner
au 2878